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JC20 Rec'd PCT/PTO 21 OCT 2009

MAIL STOP PCT  
Attorney Docket: 27057U

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

GÖBBERT, et al.

Appl. No.: Not Yet Assigned

Filed: October 21, 2005

Internatl. Appl. No.: PCT/EP2004/004295

Internatl. Filing Date: 23 April 2004 (23.04.2004)

Title: **METHOD FOR PRODUCING A COMPOSITE MATERIAL THAT CAN BE  
USED AS A PHOTONIC CRYSTAL**

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

☒ a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

☐ b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.

The enclosed statement is accompanied by [check one]:

☐ i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or

☐ ii. a check in the amount required by 37 C.F.R. 1.17(p).

- ☐ c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.  
☐ Certification report(e) below; and  
☐ a check in the amount as required by 1.17(p).
- ☐ d. The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.
- ☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]
- ☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
- or
- ☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- or
- ☐ Appropriate certification is attached.
- [XXX] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

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[XXX] g. Copies of the documents are attached herewith with a completed Form PTO-1449.

or

[ ] Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and/or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

Date: October 21, 2005

By: 

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GMN/JLM/le (NP.IDS.NewApplication.Statement)

<b>FORM PTO-1449</b>		Attorney Docket: 27057U		Appl. No.: 200553910	
<b>INFORMATION DISCLOSURE CITATION</b>		In re Application of: GÖBBERT, et al.		Filed: October 21, 2005	
		Internatl. Appl. No.: PCT/EP2004/004295		Internatl. Filing Date: 23 April 2004 (23.04.2004)	
<b>U.S. PATENT DOCUMENTS</b>					
Exam. Initial		Document Number	Issue/Pub. Date	Name	Class Sub-Class Filed
	A1	2003/0071564 A1	17 Apr. 2003	Hirayama	20 Mar. 2000
	A2	2002/0056831 A1	16 May 2002	Chen et al.	11 Apr. 2001
	A3	2002/0122644 A1	05 Sept. 2002	Birks et al.	31 Oct. 2001
	A4	2002/0074537 A1	20 Jun. 2002	John et al.	23 Jul. 2001
<b>FOREIGN PATENT DOCUMENTS</b>					
		Document Number	Date	Country	Class Sub-Class Translation
	A5	0 452 828 A2	23 Oct. 1991	EP	N/A
	A6				
	A7				
	A8				
	A9				
	A10				
	A11				
	A12				
	A13				
	A14				
	A15				
<b>OTHER (Including Author, Title, Date, Pertinent Pages, etc.)</b>					
	A16	Lanata, M., et al., "Titania inverse opals for infrared optical applications", <u>Optical Materials</u> , vol. 17, pages 11-14, (2001).			
	A17	Miguez, H., et al., "Photonic Bandgap Engineering in Germanium Inverse Opals by Chemical Vapor Deposition", <u>Adv. Mater.</u> , vol. 13, no. 21, pages 1634-1637, (2001).			
	A18	Wang, D., et al., "Gold-Silica Inverse Opals by Colloidal Crystal Templating", <u>Adv. Mater.</u> , vol. 14, no. 12, pages 908-912, (2002).			
	A19	Yan, H., et al., "A Chemical Synthesis of Periodic Macroporous NiO and Metallic Ni", <u>Adv. Mater.</u> , vol. 11, no. 12, pages 1003-1006, (1999).			
	A20				
	A21				
Examiner			Date Considered		
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP ' 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.					